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December 22, 2014

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VIA ECF AND FACSIMILE (212.805.7927)

Hon. Naomi Reice Buchwald
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: *Megason et al. v. Starjem Rest. Corp. d/b/a Fresco by Scotto et al.*
12 Civ. 1299 (NRB) (S.D.N.Y.)**

Dear Judge Buchwald:

We represent the Defendants in the above-referenced matter. We write jointly with class counsel to seek a 90-day adjournment of the trial currently scheduled for this matter on February 2, 2015.

On December 16, 2014, Defendants concluded a bench trial before Judge Torres in *Salinas et al. v. Starjem Rest. Corp. et al.*, 13-cv- 02992-AT (S.D.N.Y.) ("*Salinas*"). At the conclusion of the trial, Judge Torres also set a post-trial briefing schedule. Post-trial briefs in the *Salinas* matter are due on January 9, 2015, with opposition filings due on January 23, 2015. Because the Parties were not able to take this briefing schedule into account during our pretrial conference with the Court on September 22, 2014, and agree that any decision issued by Judge Torres in the *Salinas* matter will clarify or pare down the issues to be tried in the instant case, and/or increase the possibility of a resolution prior to trial, we respectfully request that the trial date be adjourned. The Parties are available to appear at a telephonic status conference on February 3, 4, 5 or 6, 2015, to provide the Court with an update on these issues.

We thank the Court for its courtesies in this matter. In the meantime, should the Court have any questions, please feel free to contact me.

Respectfully submitted,

Craig R. Benson

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cc: D. Maimon Kirschenbaum, Esq., class counsel (via ECF)
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